

**EXHIBIT U**

**Cease & Desist Dated September 2013**

# BATEMAN IP

A Professional Corporation

September 12, 2013

VIA U.S. Mail and Facsimile (206) 266-7010

Amazon.com Legal Department  
P.O. Box 81226  
Seattle, WA 98108

Re: *Emergency Essentials /Amazon*  
Our File No. 6025.EMER.MS

Dear Sir or Ma'am:

We represent Emergency Essentials, LLC ("Emergency Essentials") with respect to certain intellectual property matters. As you likely know, Emergency Essentials and its predecessor have been operating for more than 25 years selling food storage and other emergency supplies. Emergency Essentials is well known and is one of the leading emergency preparedness companies in the United States.

Over the past 25 years Emergency Essentials has spent substantial amounts of money in developing goodwill in its marks, including the mark EMERGENCY ESSENTIALS. Emergency Essentials has a large number of U.S. Trademark Registrations, including Registration Nos. 3,665,475; 3,659,764, 3,582,153; 3,582,152; 3,574,562; 3,571,179; 3,571,178; 3,571,177; 3,571,176; 3,571,175; 3,571,174; 3,571,173; 3,571,172; 3,568,952; 3,568,951; 3,439,473 for EMERGENCY ESSENTIALS which cover most preparedness products.

It has recently come to our attention that Amazon.com has been using the EMERGENCY ESSENTIALS trademark as a header on pages selling products which compete with products sold by Emergency Essentials. A copy of the page found at:

[http://www.amazon.com/b/?\\_encoding=UTF8&camp=1789&creative=9325&linkCode=ur2&node=7437575011&tag=wwwviolentkicom](http://www.amazon.com/b/?_encoding=UTF8&camp=1789&creative=9325&linkCode=ur2&node=7437575011&tag=wwwviolentkicom)

is attached hereto.

We believe that your use of our client's trademark to sell the goods of our client's competitors is likely to create confusion. Moreover, Amazon.com is profiting off this confusion as it sells products which compete with those of Emergency Essentials.

Under both the Lanham Act (15 U.S.C. §1125a) and analogous Utah State statutes, such as the Unfair Competition Act (Utah Code § 13-5a-103), the Truth in Advertising Act (Utah Code § 13-11a-4) and the Registration and

Randall B. Bateman †  
Christopher L. Wight  
Sarah W. Matthews +  
Eryn B. Rogers \*  
(Registered Patent Attorney)

†Also admitted in ID  
+Also admitted in WA  
\*Also admitted in CA

Mailing Address  
Post Office Box 1319  
Salt Lake City, Utah 84110

Salt Lake Office  
257 East 200 South, Ste. 7  
Salt Lake City, Utah

Utah County Office  
1373 South 740 East  
Orem, Utah

Tel. (801) 533-0320  
Fax. (801) 533-0323

# BATEMAN IP

A Professional Corporation

Protection of Trademarks and Service Marks Act (Utah Code § 70-3a-404) such conduct constitutes false advertising, unfair competition and trademark infringement because it is likely to create confusion with Emergency Essentials' trademarks.

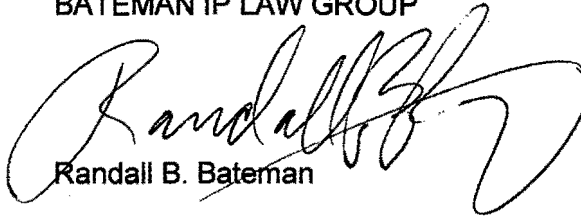
Over the years Emergency Essentials has had a good working relationship with Amazon.com and would like to keep that relationship in the future. However, as you will appreciate, Emergency Essentials has an obligation to police the use of its marks.

Please confirm within 10 days of the date of this letter that Amazon.com has ceased all use of the EMERGENCY ESSENTIALS mark except when used in association with goods produced or sold by Emergency Essentials.

We hope that this matter can be resolved expeditiously and amicably. We look forward to your prompt response.

Very truly yours,

BATEMAN IP LAW GROUP



Randall B. Bateman

RBB/ws

Cc: Emergency Essentials, LLC



Your Amazon.com Today's Deals Gift Cards Sell Help

All-New kindle paperwhite   
From \$119 > Pre-order now

Shop by Department ▾

Search Sports & Outdoors ▾

Hello, Sign in Your Account ▾


Try Prime ▾

 Cart ▾

Wish List ▾

Sports & Outdoors Athletic & Outdoor Clothing Exercise & Fitness Outdoor Gear Hunting & Fishing Cycling Golf Fan Shop Team Sports Action Sports

50% Off  Solio Xcellerator and HUB Battery Pack > [Shop now](#)

  
New customer? Start here.

Department

↳ Sports & Outdoors

Emergency Essentials

- Cycling (1)
- Exercise & Fitness (1)
- Golf (1)
- Hunting & Fishing (51)
- Outdoor Recreation (409)
- Accessories (13)

Shipping Option (What's this?)

Free Super Saver Shipping (299)

Featured Brands

- ☐ SE (1)
- ☐ Vestergaard-Frandsen (1)
- ☐ Potable Aqua (2)
- ☐ Intex (7)
- ☐ Zippo (5)
- ☐ Victorinox (151)
- ☐ Insta-Bed (1)
- > See more...

Avg. Customer Review

- ★★★★★ & Up (360)
- ★★★★☆ & Up (405)
- ★★★☆☆ & Up (414)
- ★★★★☆ & Up (418)

International Shipping (What's this?)

☐ AmazonGlobal Eligible (202)

Condition

- New (459)
- Used (144)
- Refurbished (3)
- Collectible (2)

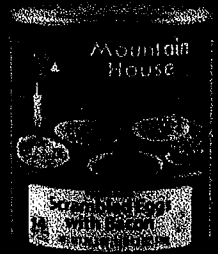
## Emergency Essentials

Find [Lights & Lighting](#), [Water Filtration](#), [Portable Stoves](#), [Freeze-dried Food](#), [Safety & Survival Kits](#), and more

# JUST IN CASE

\$20 off \$100 on Mountain House freeze-dried food

[Shop now](#)



**Just in Case**  
\$20 off \$100 on Mountain House freeze-dried foods

**Light Up the Night**  
Up to 25% Off select Energizer lighting

**Problem Solvers**  
\$10 off \$50 on Victorinox Swiss Army Knives



\$10 Off \$50 Select Wisconsin Pharmacal Outdoor Products > [Shop now](#)

### Shop By Category

